

PUBLIC NOTICE NO. MT-08-07
May 5, 2008

PURPOSE OF PUBLIC NOTICE

The purpose of this notice is to state the Department's intention to issue wastewater discharge permits to the facilities listed in this notice. These permits are issued by the Department under the authority of 75-5-402, Montana Code Annotated (MCA); the Administrative Rules of Montana (ARM) 17.30.1301 et seq., Montana Pollutant Discharge Elimination System (MPDES); and Sections 402 and 303 of the Federal Clean Water Act. The Water Protection Bureau has prepared draft permits for the facilities listed below. Copies of the draft permits, statements of basis, and environmental assessments are available upon request from the Water Protection Bureau or on the Department's website www.deq.mt.gov.

APPLICANT INFORMATION

APPLICANT:	ASARCO LLC J. Chris Pfahl, Site Manager P.O. Box 440 Wallace, ID 83873
FACILITY NAME:	Mike Horse/Anaconda Mine Water Treatment System
FACILITY LOCATION:	Sections 21, 22, 27, 28, Township 15 North, Range 6 West, Lewis and Clark County
RECEIVING WATER:	Outfall 001A: Mike Horse Creek Outfall 003A: Blackfoot River
PERMIT NUMBER:	MT0030031

The applicant operates a constructed wetland for the treatment of mine drainage from two inactive mine adits. Discharge of treated wastewater is discharged continuously to the Blackfoot River (Outfall 003A). Outfall 001A is from the Mike Horse pretreatment system to Mike Horse Creek. A discharge from Outfall 001A has not been reported. During this permit cycle, the applicant will upgrade treatment from the existing constructed wetland to microfiltration. Effluent limitations have been calculated for the discharge to meet B-1 water

use classification standards.

On September 21, 2000, a U.S. District Judge issued an order stating that until all necessary total maximum daily loads under Section 303(d) of the Clean Water Act are established for a particular water quality limited segment, the State is not to issue any new permits or increase permitted discharges under the MPDES program. The order was issued in the lawsuit Friends of the Wild Swan v. U.S. EPA, et al., CA 97-35-M-DWM, District of Montana, Missoula Division. The DEQ finds that renewal of this permit does not conflict with the order because the MDPES re-issuance is not for a new or increased source and TMDLs associated with the discharge have been established.

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APPLICANT NAME: City of Glendive Water Treatment Plant

APPLICANT ADDRESS: 300 South Merrill Avenue
Glendive, MT 59330

FACILITY LOCATION: 420 West Bell Street

PERMIT NUMBER: MT0000876

RECEIVING WATER: Yellowstone River

The City of Glendive water treatment plant is a conventional potable water treatment plant utilizing settling, coagulation, flocculation and filtration processes to treat raw surface water from the Yellowstone River to finished drinking water. This permit regulates the discharge of wastewater from the plant to the Yellowstone River. The facility does not normally discharge from the three outfalls at the plant. The City of Glendive maintains the permit in case a discharge is necessary due to equipment failure.

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APPLICANT: Montana Sulphur and Chemical Company

FACILITY NAME: Montana Sulphur and Chemical Company

FACILITY LOCATION: Southeast ¼ of Section 24, Township 1 North, Range 26 East, Yellowstone County

RECEIVING WATER: Outfall 001: Dry Creek

PERMIT NUMBER: MT0000230

The Montana Chemical and Sulphur Company (MSCC) processes “acid gas” and “sour fuel gas” from the adjacent ExxonMobil refinery and returns processed fuel gas to the refinery. Chemical products and gases are produced from the gas treatment process. The plant runs continuously and produces approximately 120 tons of sulfur each day. Non-contact cooling water is continuously discharged to Dry Creek. This permit regulates the discharge of non-contact cooling water to Dry Creek. Storm water and ground water are also addressed in this permit.

On September 21, 2000, a U.S. District Judge issued an order stating that until all necessary total maximum daily loads (TMDLs) under Section 303(d) of the Clean Water Act are established for a particular water quality limited segment, the State is not to issue any new permits or increase permitted discharges under the MPDES program. The order was issued in the lawsuit Friends of the Wild Swan v. U.S. EPA, et al., CV 97-35-M-DWM, District of Montana, Missoula Division. The DEQ finds that the issuance of this proposed permit does not conflict with the order because it is not a new permit and the renewed permit will not increase the pollutant load to Dry Creek.

PUBLIC COMMENT

Public comments are invited ANYTIME PRIOR TO CLOSE OF BUSINESS June 4, 2008. Comments may be directed to the DEQ Permitting & Compliance Division, Water Protection Bureau, PO Box 200901, Helena, MT 59620. All comments received or postmarked PRIOR TO CLOSE OF BUSINESS June 4, 2008, will be considered in the formulation of final determinations to be imposed on the permits. If you wish to comment electronically, you may e-mail Dianne Beaman at WPBPublicNotices@mt.gov.

During the public comment period provided by the notice, the Department will accept requests for a public hearing. A request for a public hearing must be in writing and must state the nature of the issue proposed to be raised in the hearing (ARM 17.30.1373).

The Department will respond to all substantive comments and issue a final decision within sixty days of this notice or as soon as possible thereafter. Additional information may be obtained upon request by calling (406) 444-3080 or by writing to the aforementioned address. The complete administrative record, including permit application and other pertinent information, is maintained at

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the Water Protection Bureau office in Helena and is available for review during business hours.

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